



June 24, 2013

VIA E-MAIL

Attn: Adam Laputz
Central Valley Regional Water Quality Control Board
11020 Sun Center Drive, #200
Rancho Cordova, CA 95670-6114
awlaputz@waterboards.ca.gov

Re: Comments Regarding the Draft WDRs for the Western San Joaquin River Watershed

Dear Mr. Laputz and Members of the Board:

The Central Valley Regional Water Quality Control Board ("Board") recently released for public review the draft Waste Discharge Requirements General Order for Growers Within the Western San Joaquin River Watershed That Are Members of the Third Party Group ("Draft WSJ Order"). Paramount Land Company, LLC and Paramount Pomegranate Orchards, LLC ("Paramount") own property located along the northeastern border of the San Joaquin River, just upstream from the Mendota Pool and downstream from the historic Whitehouse Gauging Station, known as the New Columbia Ranch. Paramount Farming Company, as Paramount's representative, submits the below comments requesting a correction on the Draft WSJ Order.

To date, Paramount has met the requirements of the existing Irrigated Lands Regulatory Program ("ILRP") by enrolling all of its New Columbia Ranch irrigated acreage through the Westside San Joaquin River Watershed Coalition ("Westside Coalition"). Paramount has experienced efficiency benefits in having the whole of its New Columbia Ranch enrolled in the Westside Coalition for purposes of regulatory compliance. Paramount seeks to ensure all ILRP compliance programs, including the Draft WSJ Order, developed by the Board allow for grower compliance with the least amount of administrative burden possible. A significant portion of the New Columbia Ranch is within the Columbia Canal Company service area and the remainder is adjacent to Columbia Canal Company property and west of the Chowchilla Bypass in Madera County. On July 17, 2012 Paramount submitted comments on the Tentative ESJ Order explaining the New Columbia Ranch location and Paramount's desire to continue being covered for the New Columbia Ranch under one third-party group for purposes of compliance with the ILRP. As part of Paramount's comment letter, specific language was requested to be added to the ESJ Order, which was not incorporated, however the Board, on Page 61 of the "Final Response to Comments," addressed Paramount's letter:

"Comment Letter 14

14-1. Compliance with the ILRP by enrolling acres; Westside/Eastside overlap areas

Comment summary: The commenter states that its operation has met the requirements of the ILRP by enrolling all of its irrigated acreage with the Westside Coalition. Additionally, the commenter requests revised language in the Order that excludes irrigated acreage that previously received

coverage under the Westside Coalition and will continue to be covered under the ILRP Order that governs the Westside Coalition area.

Response: The flexibility the commenter is requesting exists in the tentative Order. Finding 3 of the tentative Order provides that growers within the Eastern San Joaquin River Watershed may be enrolled by the terms of the tentative Order or through another third-party group recognized for that area. The finding provides that these growers would not be required to obtain coverage through two third-party groups to comply with the ILRP. Should the board approve the tentative Order, the commenter may choose to enroll all or some of its acreage under the tentative Order, or continue under the Westside Coalition, which is currently a recognized third party group operating pursuant to the Coalition Group Conditional Waiver (Resolution R5-2011-0032)."

The Board's response confirms the ability of Paramount to have its New Columbia Ranch covered as part of the Westside coalition. And, Finding 3 of the Tentative ESJ Order allows this treatment: "There are some locations within the Eastern San Joaquin River Watershed where it may be more effective for owners and operators of irrigated lands that are not 'Members' to enroll under an irrigated lands regulatory program (ILRP) Order that recognizes a different third-party representative. In these locations, the boundaries of the third-party area overlap with boundaries of a third-party area recognized by a different ILRP Order. Growers are only required to obtain coverage under one ILRP order."

The Draft WSJ Order does not contain similar language, but instead Finding 3 of the Draft WSJ Order formally recognizes the Columbia Canal Company service area, as well as other areas, as included within the general boundary of the Western San Joaquin River Watershed area. Finding 3 of the Draft WSJ Order does not specifically include the remaining portion of the New Columbia Ranch that is adjacent to the Columbia Canal Company and west of the Chowchilla Bypass, however the map in Figure 1 properly includes these lands as within the boundaries of the Western San Joaquin River Watershed area.

Paramount requests the Board to revise the language in Finding 3 to specifically include within the general boundary of the Western San Joaquin River Watershed the New Columbia Ranch lands adjacent to Columbia Canal Company and west of the Chowchilla Bypass. Paramount also requests adding the following language to Finding 3, "Growers are only required to obtain coverage under one ILRP order. Growers may enroll acreage in an ILRP Order that recognizes a different third-party representative in cases where it is more effective for owners and operators of irrigated lands."

The above addition provides clarity for growers with respect to compliance who may have one continuous farming unit within the general boundary of more than one ILRP order.

Paramount plans to submit additional comments on the Draft WS Order prior to the comment deadline date of July 15, 2013, but thought it necessary to address this discrete procedural issue separately prior to the formal comment deadline. If you have any questions, please do not hesitate to contact Kimberly Brown or me at the contact information listed above.

Sincerely,

A handwritten signature in blue ink, appearing to read 'William D. Phillimore', with a stylized flourish at the end.

William D. Phillimore
Executive Vice President